

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR COUNCIL MEETING

TUESDAY, JUNE 23, 2015
7:00 P.M.

1. CALL TO ORDER / ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

(Detective Michael Tovar, North Miami Police Department – Officer of the Month)

3. INVOCATION

4. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

5. SPECIAL PRESENTATION(s)

- ◆ 2nd Quarter Budget Presentation by *Arthur Sorey, Budget Director*
- ◆ Annual Audit Report & Comprehensive Annual Financial Report (CAFR) by *Harvey, Covington & Thomas, LLC, Independent Certified Public Accountants Firm*

6. CITY PROJECTS UPDATE

7. HURRICANE PREPAREDNESS

8. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS **A** THROUGH **H** CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS **A** THROUGH **H** BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – June 9, 2015

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND FORENSIC LOGIC, INC. TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT’S PARTICIPATION IN THE LAW ENFORCEMENT ANALYSIS PORTAL (LEAP) SYSTEM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Leonard Burgess, Chief of Police

[TAB C]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE UPS FOUNDATION FOR GRANT FUNDS FROM THE KEEP AMERICA BEAUTIFUL/UPS COMMUNITY TREE AND RECOVER TREE PLANTING GRANT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB D]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SUBMISSION OF AN APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE UNIVERSITY OF SOUTH FLORIDA TO SECURE GRANT IN SUPPORT OF THE HIGH VISIBILITY ENFORCEMENT FOR PEDESTRIANS AND BICYCLE SAFETY PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE UNITED STATES DEPARTMENT OF JUSTICE FOR A GRANT FROM THE BULLETPROOF VEST PARTNERSHIP PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE UNITED STATES DEPARTMENT OF JUSTICE FOR GRANT FUNDS FROM THE COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND MIAMI FOUNDATION FOR GRANT FUNDS FROM THE PUBLIC SPACE CHALLENGE GRANT PROGRAM TO BE USED TOWARD RENOVATING OLEANDER PARK TO BUILD A K-9 TRAINING FACILITY, A TOT-LOT, A MINI-DOG PARK, AND A COMMUNITY GARDEN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB H]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE AMENDMENT TO THE FISCAL YEAR 2014-2015 REVENUE AND EXPENSE BUDGET, TO INCLUDE THE RECEIPT AND APPROPRIATION OF GRANT FUNDS FROM VARIOUS SOURCES, FOR THE NORTH MIAMI PUBLIC LIBRARY AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Arthur Sorey, Budget Director

9. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

9.A. RESOLUTIONS

[TAB I]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A FUNDING ALLOCATION OF ONE MILLION TWO HUNDRED FOURTEEN THOUSAND FOUR HUNDRED TWENTY-SIX DOLLARS (\$1,214,426.00) TO THE NORTH MIAMI MUSEUM OF CONTEMPORARY ART (“MOCA”) AS WELL AS AN INTEREST FREE LOAN FROM THE CITY OF NORTH MIAMI TO THE MUSEUM OF CONTEMPORARY ART, INC., IN THE AMOUNT OF SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00), WITH THAT AMOUNT TO BE REIMBURSED TO THE CITY WITHIN FOUR (4) YEARS FROM THE LOAN DATE; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE FUNDING ALLOCATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Arthur Sorey, Budget Director

[TAB J]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING ADDITIONAL FUNDING FOR THE COMPLETION OF THE NORTH MIAMI PUBLIC LIBRARY INTERIOR RENOVATION

AND REMODELING PROJECT, IN THE AMOUNT NOT TO EXCEED SEVEN HUNDRED THOUSAND DOLLARS (\$700,000.00); AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO AMEND THE AGREEMENT EXECUTED ON AUGUST 7, 2014, BETWEEN THE CITY OF NORTH MIAMI AND SA CONSULTANTS, LLC, AS THE CONTRACTOR FOR THE LIBRARY RENOVATION AND REMODELING PROJECT, IN ACCORDANCE WITH RESOLUTION NO. 2014-R-62; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Wisler Pierre-Louis, Public Works Director

[TAB K]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE TERMINATION OF A SERVICE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND AMERICAN TRAFFIC SOLUTIONS, INC.; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Mayor Smith Joseph, D.O., Pharm.D.

Co-Sponsored by: Councilman Philippe Bien-Aime

Co-Sponsored by: Councilman Alix Desulme

[TAB L]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, REQUESTING A DESIGNATION FROM THE FLORIDA STATE LEGISLATURE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION OF SR 922 (NE 123RD ST) FROM BISCAYNE BLVD (THE WESTERN TERMINUS), TO THE END OF THE STATE SYSTEM ROADWAY (AT THE NORTH MIAMI CITY LIMITS), TO BE KNOWN AS “STANLEY G. TATE BOULEVARD”; AND AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Councilman Scott Galvin

[TAB M]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ESTABLISHING TIMELINES FOR PUBLIC RECORDS REQUESTS; ELIMINATING CERTAIN FEES AND COSTS; AND ASSIGNING PERSONNEL TO EFFECTUATE COMPLIANCE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Councilman Scott Galvin

9.B. LEGISLATIVE MATTERS

9.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB N]

PROPOSED ORDINANCE (*SECOND READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 5, UNDER DIVISION

9, ENTITLED “FENCES, WALLS, AND OTHER SIMILAR STRUCTURES”, SPECIFICALLY AT SECTION 5-901 ENTITLED “GENERAL STANDARDS FOR RESIDENTIAL AND NONRESIDENTIAL DISTRICTS”, AND SECTION 5-902 ENTITLED “MAXIMUM HEIGHT”, TO CLEARLY ESTABLISH APPROPRIATE REGULATIONS FOR THE CONSTRUCTION AND USE OF OPAQUE FENCES AND WALLS IN RESIDENTIAL DISTRICTS, AND TO FURTHER ORGANIZE AND STREAMLINE THE SPECIFIC SECTIONS FOR GREATER CLARITY AND CONSISTENCY WITH THE INTENT OF THE NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: Councilman Scott Galvin

[TAB O]

PROPOSED ORDINANCE (*SECOND READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 21, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “CODE COMPLIANCE”, BY AMENDING ARTICLE II, ENTITLED “CODE COMPLIANCE PROCEDURES” AT DIVISION 1. ENTITLED “CODE COMPLIANCE NOTICE OF VIOLATION PROCEDURE”, SPECIFICALLY AT SECTION 21-20 ENTITLED “FINES; COSTS OF REPAIR” TO INCREASE THE MAXIMUM DAILY FINES FOR CODE VIOLATIONS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: Councilman Scott Galvin

[TAB P]

PROPOSED ORDINANCE (*SECOND READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 4, DIVISION 3, ENTITLED “NON-RESIDENTIAL DISTRICTS,” SPECIFICALLY AT SECTION 4-302 ENTITLED “USES PERMITTED”, TO ESTABLISH “RETAIL SHOWROOM, AUTOMOBILE” AS A SPECIAL EXCEPTION USE IN THE C-2BW ZONING DISTRICT, TO FOSTER ECONOMIC GROWTH, AND AMENDING ARTICLE 7, AT SECTION 7-101 ENTITLED “DEFINITIONS”, TO PROVIDE FOR A DEFINITION OF “RETAIL SHOWROOM, AUTOMOBILE,” AS WELL AS ESTABLISHING CLEAR REGULATIONS FOR SAID USE, CONSISTENT WITH THE INTENT OF THE NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D / Zoning Manager

9.B.2. ORDINANCES – FIRST READING

[TAB Q]

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 5, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “BUILDING STANDARDS AND REGULATIONS”, BY AMENDING ARTICLE IV, ENTITLED “MINIMUM HOUSING STANDARDS”, SPECIFICALLY AT SECTION 5-30,

ENTITLED “OCCUPANCY STANDARDS” TO PROHIBIT THE ADVERTISEMENT OF RENTALS OF SINGLE FAMILY HOMES FOR PERIODS OF LESS THAN THREE MONTHS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: Vice-Mayor Carol Keys, Esq.

Co-Sponsored by: Councilman Scott Galvin

[TAB R]

PROPOSED ORDINANCE (***FIRST READING***) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 12, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “NUISANCES”, BY AMENDING ARTICLE III, ENTITLED “MAINTENANCE OF SWALE AREAS”, SPECIFICALLY AT SECTION 12-10, ENTITLED “STANDARD OF MAINTENANCE” TO PROHIBIT THE PLACEMENT OF ITEMS ON TREES IN THE SWALE AREA; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: City Administration

9.C. QUASI-JUDICIAL ITEM(s)

10. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB S]

DISCUSSION AND POTENTIAL DIRECTION GIVEN REGARDING LEGAL COLLECTION FROM INDIVIDUALS OF IRS FINES INCURRED.

Sponsored by: Councilman Scott Galvin

11. CITIZENS’ FORUM

12. COUNCIL REPORTS

Mayor Smith Joseph, D.O., Pharm.D.

Vice Mayor Carol Keys, Esq.

Councilman Philippe Bien-Aime

Councilman Alix Desulme

Councilman Scott Galvin

13. CITY CLERK’S REPORT

14. CITY ATTORNEY’S REPORT

15. CITY MANAGER’S REPORT

16. ADJOURNMENT

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.